

Docket No. 4126-4007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Cvitkovich et al.

Group Art Unit: TBA

Serial No.: 09/787,461

Examiner: TBA

For: Compositions and Uses of Et 743 for Treating Cancer

EXPRESS MAIL CERTIFICATE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 357 800 412 US

Date of Deposit: December 5, 2003

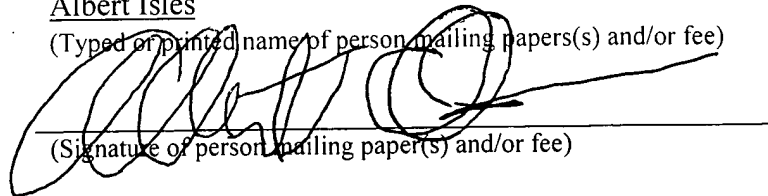
I hereby certify that the following attached paper(s) and/or fee

1. return postcard
2. Request for Reconsideration of Power of Attorney,
with attachments A-D (35 pages + 1 duplicate page)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Albert Isles

(Typed or printed name of person mailing paper(s) and/or fee)



(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Cvitkovich et al.

Group Art Unit: TBA

Serial No.: 09/787,461

Examiner: TBA

For: COMPOSITIONS AND USES OF ET 743 FOR TREATING CANCER

**REQUEST FOR RECONSIDERATION OF A PREVIOUSLY SUBMITTED
REVOCATION OF POWER OF ATTORNEY AND APPOINTMENT OF ATTORNEY**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned respectfully requests reconsideration of the decision by the Office of PCT Legal Administration regarding a previously submitted Revocation of Power of Attorney and Appointment of Attorney for US Serial No. 09/787,461.

Background

The United States Patent and Trademark Office (PTO) mistakenly assigned two serial numbers in connection with entry into the national stage of international application PCT/GB00/01857. The two serial numbers were 09/787,461 and 10/031,810.

On September 23, 2003, a Revocation of Power of Attorney and Appointment of Attorney was filed by counsel from the law firm of Morgan & Finnegan, LLP on behalf of assignee Pharma Mar, S.A, **for each of the two serial numbers** given by the PTO. Copies are attached as Exhibits A and C.

On September 30, 2003, the Office of PCT Legal Administration merged the contents of serial numbers 09/787,461 and 10/031,810. The serial number 10/031,810 was deactivated and removed from the PTO's electronic application records (PALM). The decision indicated that all future correspondence should be directed to application number 09/787,461.

While merging the serial numbers, the Office of PCT Legal Administration stated that the Revocation of Power of Attorney and Appointment of Attorney filed on September 23, 2003 was "not effective because

the assignee has not established their right to take action in accordance with 37 CFR 3.73(b) and MPEP 324." Specifically, the communication stated that the assignee had not submitted documentary evidence of a chain of title from the original owner to the assignee (a copy of an executed assignment) or by specifying (reel and frame number) where such evidence is recorded in the PTO. Reconsideration of this decision is respectfully requested.

Discussion

As stated above, a Revocation of Power of Attorney and Appointment of Attorney was filed on September 23, 2003 **for each of the two serial numbers** given by the PTO . With respect to the submission for US serial number 10/031,810, a specific reference was made to an Assignment submitted to the Office of Public Records on July 11, 2003, and the submission clearly indicated that US serial numbers 10/031,810 and 09/787,461 were duplicates. In a telephone interview conducted on October 16, 2003, Special Program Examiner Michael Neas was unable to explain why the submission for US serial number 10/031,810 was not considered, despite the fact that he had signed the decision.

In an attempt to resolve this issue, copies of the following documents are attached:

- A) Power of Attorney for 09/787,461, originally submitted September 23, 2003;
- B) Assignment for 09/787,461, originally submitted October 17, 2003;
- C) Power of Attorney for 10/031,810, originally submitted September 23, 2003;
- D) Assignment for 10/031,810, originally submitted July 11, 2003.

It is noted that the PTO's original mistake in giving two serial numbers was followed by a substantial delay in merging the serial numbers under a single serial number, further compounded by the PTO's mistake in not considering the Power of Attorney submitted for 10/031,810. The PTO's mistakes have significantly burdened the applicant by increasing the expense and time for prosecution of the pending application.

In view of above, Applicants respectfully request:

- 1) reconsideration of the decision by the Office of PCT Legal Administration regarding the previously submitted Revocation of Power of Attorney and Appointment of Attorney; and
- 2) an expedited decision in order to reduce the burden on the applicant of the previous decision.

The PTO is urged to contact the undersigned by telephone in the event that further documentation is required.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4126-4007. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 5, 2003

By:



Michael A. Willis, Ph.D.

Registration No. 53,913

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

12/11

PATENT

Docket No.: 4126-4007

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Applicant(s) : Esteban Cvitkovic et al.

Serial No. : 09/787,461

Group Art Unit: TBA

Intl. Appln. No. : PCT/GB00/01857

Examiner: Unassigned

Intl. Filing Date : 15 May 2000

For : COMPOSITIONS AND USES OF ET 743 FOR TREATING CANCER

**TRANSMITTAL FOR REVOCATION OF POWER OF ATTORNEY
UNDER 37 C.F.R. §1.36 AND APPOINTMENT OF ATTORNEY**

COMMISSIONER FOR PATENTS

Mail Stop: PCT

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a REVOCATION OF POWER OF ATTORNEY UNDER 37 C.F.R. §1.36 AND APPOINTMENT OF ATTORNEY for Application Serial No. 09/787,461, which is the national phase application of PCT/GB00/01857, filed 15 May 2000. Applicants hereby advise the DO/EO/US that a duplicate national stage application file of the instant application was erroneously established by the DO/EO/US. The erroneous duplicate file is Application Serial No. 10/031,810.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 23, 2003

By: 

Brian W. Brown

Registration No. 47,265

(202) 857-7887

Telephone

(202) 857-7929

Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.

345 Park Avenue

New York, NY 10154-0053

PATENT

Docket No.: 4126-4007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Esteban Cvitkovic et al.
Serial No. : 09/787,461 Group Art Unit: TBA
Filed : 12 October 2001 Examiner: Unassigned
For : Compositions and Uses of ET 743 for Treating Cancer

Commissioner of Patents
P.O.Box 1450
Alexandria, VA 22313-1450

**REVOCATION OF POWER OF ATTORNEY UNDER 37 C.F.R. §1.36 AND
APPOINTMENT OF ATTORNEY**

Sir:

Pharma Mar, S.A. is the assignee of the entire right, title and interest in the above-identified patent application. As assignee of record of the entire interest of the above-identified application, I hereby revoke all powers of attorney previously given.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith:

David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Mark J. Abate (Reg. No. 32,527), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285),

Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. 43,979), Walter G. Hanchuk (Reg. No. 35,179), John W. Osborne (Reg. No. 36,231), Robert K. Goethals (Reg. No. 36,813), Peter N. Fill (Reg. No. 38,876), Mary J. Morry (Reg. No. 34,398), Kenneth S. Weitzman (Reg. No. 36,306), Richard Straussman (Reg. No. 39,847), and Stephen J. Manetta (Reg. No. 40,426) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727), and John E. Hoel (Reg. No. 26,279), of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

The correspondence address to which all communications about this application are to be directed is as follows:

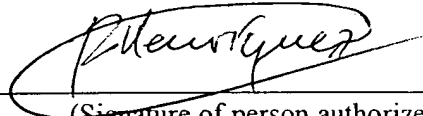
Kenneth H. Sonnenfeld
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154
(212) 415-8513 (Phone)
(212) 751-6849 (Facsimile)

Respectfully submitted,

On behalf of Pharma Mar, S.A.

Date: 17/sept./2003

By: _____



(Signature of person authorized to sign
on behalf of Assignee)

Ruben Henriquez
(Typed or printed name of person
authorized to sign on behalf of
Assignee)

Director Tech. & IP
(Title of person authorized to sign on
behalf of Assignee)

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

To The Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Esteban Cvitkovic George Daniel Demetri Cecilia Guzman Jose Jimeno Luis Lopez Lazaro Jean Louis Misset Chris Twelves Daniel D Von Hoff</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Pharma Mar, S.A. Address: Poligono Industrial La Mina Avda. de los Reyes, 1 Colmenar Viejo 28770 Madrid, SPAIN</p> <p>Additional name(s) & addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment</p> <p><input type="checkbox"/> Other</p> <p>Execution Date(s): 3/21/2003, 3/20/2003, 3/24/2003, 3/18/2003, 1/29/2002, 7/8/2002, 5/30/2002, 6/8/2002.</p>	<p>4. Patent Application number(s)</p> <p>09/787,461 (based on PCT/GB00/01857)</p> <p>International Filing Date for PCT/GB00/01857: 15 May 2000.</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Michael A. Willis Address: Morgan & Finnegan, LLP 345 Park ave. New York, NY 10154-0053</p>	<p>6. Total number of applications involved: 1</p> <p>7. Total fee (37 CFR 3.41): \$40.00</p> <p><input checked="" type="checkbox"/> A check in the amount of \$40 is enclosed.</p> <p><input type="checkbox"/> Charge to Deposit Account No.13-4500, Order No. .</p> <p><input checked="" type="checkbox"/> Charge any deficiencies to Deposit Account 13-4500, Order No. 4126-4008. (A duplicate copy of this sheet is enclosed)</p>

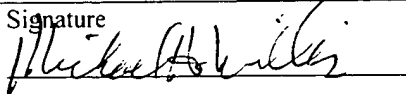
DO NOT USE THIS SPACE

8. Statement and signature.
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.

Name of Person Signing

Michael A. Willis

Signature



Date:

17 October 2003

Reg. No. **53,913**

Total no. of pages including cover sheet, attachments and document: 10

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Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

4126-4007

United States of America ASSIGNMENT

Name(s) of inventor(s):-

Cvitkovic, Esteban

Demetri, George Daniel

Guzman, Cecilia

Jimeno, Jose

Lopez Lazaro, Luis

Misset, Jean Louis

Twelves, Chris

Von Hoff, Daniel D

In consideration of the sum of one dollar(\$1.00), and other good and valuable consideration paid to (each of) the undersigned, the receipt and sufficiency of which are hereby acknowledged, the undersigned agree(s) to assign, transfer and set over to:-

Name of Assignee:-

Pharma Mar, S.A.

Address of Assignee:-

Calle de la Calera 3

Poligono Industrial de Tres Cantos

Tres Cantos

28760 Madrid

Spain

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention known as:
Title: Compositions and uses of ET743 for treating cancer

For which the undersigned has/have executed an application for patent in the United States of America, said application having been executed (filed)
on _____ and assigned serial No. 09/787,461

1) The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing or divisional application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or any continuing or divisional application(s) thereof and to co-operate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Union for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain grant of (a) valid patent(s) to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.

6). The undersigned hereby grant(s) the law firm of: Morgan & Finnegan, L.L.P. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office.

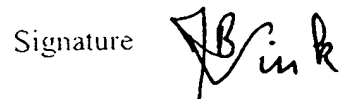
In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name
<u>21 / Nov / 2003</u>	<u>Cvitkovic, Esteban</u>

Signature
<u></u>

Witness	<u>Madeline VINK</u>
---------	----------------------

Date	Name
_____	<u>Demetri, George Daniel</u>

Signature
<u></u>

Witness	_____
---------	-------

Date	Name
_____	<u>Guzman, Cecilia</u>

Signature

Witness	_____
---------	-------

Date	Name
_____	<u>Jimeno, Lose</u>

Signature

Witness	_____
---------	-------

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.


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In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name	Signature
_____	<u>Cvitkovic, Esteban</u>	_____

Witness _____

Date	Name
<u>20 MARCH 2003</u>	<u>Demetri, George Daniel</u>

Signature 
Witness Margaret Burbank

Date	Name	Signature
_____	<u>Guzman, Cecilia</u>	_____

Witness _____

Date	Name	Signature
_____	<u>Jimeno, Lose</u>	_____

Witness _____

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.

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In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name	Signature
_____	<u>Cvitkovic, Esteban</u>	_____

Witness _____

Date	Name	Signature
_____	<u>Demetri, George Daniel</u>	_____

Witness _____

Date	Name	Signature
<u>24-3-03</u>	<u>Guzman, Cecilia</u>	

Witness BZ

Date	Name	Signature
_____	<u>Jimeno, Lose</u>	_____

Witness _____

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In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name	Signature
_____	<u>Cvitkovic, Esteban</u>	_____

Witness _____

Date	Name	Signature
_____	<u>Demetri, George Daniel</u>	_____

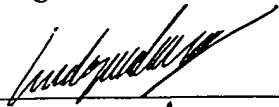
Witness _____

Date	Name	Signature
_____	<u>Guzman, Cecilia</u>	_____

Witness _____

Date	Name	Signature
<u>13/3/03</u>	<u>Jimeno, Lose</u>	<u></u>

Witness 

Date	Name	Signature
<u>29-JAN-2002</u>	<u>Lopez Lazaro, Luis</u>	<u></u>

Witness



Date	Name	Signature
<u> </u>	<u>Misset, Jean Louis</u>	<u> </u>

Witness

Date	Name	Signature
<u> </u>	<u>Twelves, Chris</u>	<u> </u>

Witness

Date	Name	Signature
<u> </u>	<u>Von Hoff, Daniel D</u>	<u> </u>

Witness

OJA Assignment

Date Name

Signature

29-JAN-2002 Lopez Lazaro, Luis

Witness

Signature

Date Name

~~1/29/02~~ July 24 2002 Misset, Jean Louis

Witness

Signature

Date Name

Twelves, Chris

Witness

Date Name

Signature

Von Hoff, Daniel D

Witness

OJA Assignment

Date Name

Signature

29-JAN-2002 Lopez Lazaro, Luis

Witness

[Signature]
[Signature]

Signature

Date Name

Misset, Jean Louis

Witness

Date Name

Signature

John May Twelves, Chris
2002

Witness

[Signature]
[Signature]

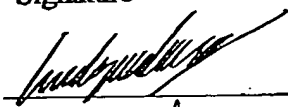
Date Name

Signature

Von Hoff, Daniel D

Witness

OJA Assignment

Date	Name	Signature
29-JAN-2002	Lopez Lazaro, Luis	

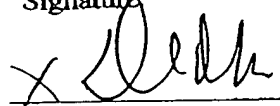
Witness 

Date	Name	Signature
	Misset, Jean Louis	

Witness

Date	Name	Signature
	Twelves, Chris	

Witness

Date	Name	Signature
X 28 2012	Von Hoff, Daniel D	

Witness 

File

PATENT

Docket No.: 4126-4008

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Applicant(s) : Esteban Cvitkovic et al.

Serial No. : 10/031,810

Group Art Unit: TBA

Intl. Appln No. : PCT/GB00/01857

Examiner: Unassigned

Intl. Filing Date : 15 May 2000

For : COMPOSITIONS AND USES OF ET 743 FOR TREATING CANCER

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COMMISSIONER OF PATENTS

Mail Stop: PCT

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a REVOCATION OF POWER OF ATTORNEY UNDER 37 C.F.R.

§1.36 AND APPOINTMENT OF ATTORNEY for Application Serial No. 10/031,801, filed 13

November 2001, which is the national phase of PCT/GB00/01857, filed 15 May 2000. Applicants hereby

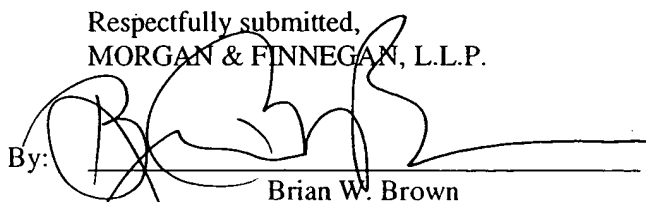
advise the DO/EO/US that Application Serial No. 10/031,801 is a duplicate file of Application Serial No.

09/787,461, filed 12 October 2001.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 23, 2003

By:


Brian W. Brown
Registration No. 47,265
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.

345 Park Avenue

New York, NY 10154-0053

PATENT

Docket No.: 4126-4008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Esteban Cvitkovic et al.
Serial No. : 10/031,810 Group Art Unit: TBA
Filed : 13 November 2001 Examiner: Unassigned
For : Compositions and Uses of ET 743 for Treating Cancer

Commissioner of Patents
P.O.Box 1450
Alexandria, VA 22313-1450

**REVOCATION OF POWER OF ATTORNEY UNDER 37 C.F.R. §1.36 AND
APPOINTMENT OF ATTORNEY**

Sir:

Pharma Mar, S.A. is the assignee of the entire right, title and interest in the above-identified patent application by an Assignment that was executed on January 29, 2002, May 30, 2002, June 8, 2002, July 8, 2002, March 18, 2003, March 20, 2003, March 21, 2003, and March 24, 2004, and was received by the Office of Public Records on July 11, 2003.

As assignee of record of the entire interest of the above-identified application, I hereby revoke all powers of attorney previously given.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith:

David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg.

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The correspondence address to which all communications about this application are to be directed is as follows:

Kenneth H. Sonnenfeld
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154
(212) 415-8513 (Phone)
(212) 751-6849 (Facsimile)

Respectfully submitted,

On behalf of Pharma Mar, S.A.

Date: 17/Sept. 12003

By: _____



(Signature of person authorized to sign
on behalf of Assignee)

Ruben Henriquez

(Typed or printed name of person
authorized to sign on behalf of
Assignee)

Director Tech. 2 JP

(Title of person authorized to sign on
behalf of Assignee)

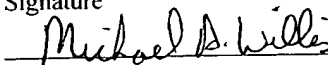
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To The Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>Esteban Cvitkovic George Daniel Demetri Cecilia Guzman Jose Jimeno Luis Lopez Lazaro Jean Louis Misset Chris Twelves Daniel D Von Hoff</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Phama Mar, S.A. Address: Calle de la Calera 3 Poligono Industrial de Tres Cantos Tres Cantos 28760 Madrid SPAIN</p> <p>Additional name(s) & addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment</p> <p><input type="checkbox"/> Other</p> <p>Execution Date(s): 3/21/2003, 3/20/2003, 3/24/2003, 3/18/2003, 1/29/2002, 7/8/2002, 5/30/2002, 6/8/2002.</p>	<p>4. Patent Application number(s)</p> <p>10/031,810 (based on PCT/GB00/01857)</p> <p>Execution Date(s): 13 November 2001</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Michael A. Willis Address: Morgan & Finnegan, LLP 345 Park ave. New York, NY 10154-0053</p>	<p>6. Total number of applications involved: 1</p> <p>7. Total fee (37 CFR 3.41): \$40.00</p> <p><input checked="" type="checkbox"/> A check in the amount of \$40 is enclosed.</p> <p><input type="checkbox"/> Charge to Deposit Account No.13-4500, Order No.</p> <p><input checked="" type="checkbox"/> Charge any deficiencies to Deposit Account 13-4500, Order No. 4126-4008. (A duplicate copy of this sheet is enclosed)</p>

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8. Statement and signature.
- To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.

Name of Person Signing	Signature	Date:
Michael A. Willis		11 July 2003

Reg. No. 53,913 Total no. of pages including cover sheet, attachments and document: 10

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United States of America ASSIGNMENT

Name(s) of inventor(s):-

Cvitkovic, Esteban

Demetri, George Daniel

Guzman, Cecilia

Jimeno, Jose

Lopez Lazaro, Luis

Misset, Jean Louis

Twelves, Chris

Von Hoff, Daniel D

In consideration of the sum of one dollar(\$1.00), and other good and valuable consideration paid to (each of) the undersigned, the receipt and sufficiency of which are hereby acknowledged, the undersigned agree(s) to assign, transfer and set over to:-

Name of Assignee:-

Pharma Mar, S.A.

Address of Assignee:-

Calle de la Calera 3

Poligono Industrial de Tres Cantos

Tres Cantos

28760 Madrid

Spain

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention known as:
Title: Compositions and uses of ET743 for treating cancer

For which the undersigned has/have executed an application for patent in the United States of America, said application having been executed (filed) on _____ and assigned serial No. _____

1) The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing or divisional application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or any continuing or divisional application(s) thereof and to co-operate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Union for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain grant of (a) valid patent(s) to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.

6). The undersigned hereby grant(s) the law firm of: Morgan & Finnegan, L.L.P. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office.


In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date 21/Nov/2003 Name Cvitkovic, Esteban

Signature 

Witness Madeline VINK

Date _____ Name Demetri, George Daniel

Signature 

Witness _____

Date _____ Name Guzman, Cecilia

Signature _____

Witness _____

Date _____ Name Jimeno, Lose

Signature _____

Witness _____

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date _____ Name _____ Signature _____

Cvitkovic, Esteban

Witness _____

Date _____ Name _____ Signature _____

20 MARCH 2003 Demetri, George Danici

Witness Marybeth Burkask
Signature

Date _____ Name _____ Signature _____

Guzman, Cecilia

Witness _____

Date _____ Name _____ Signature _____

Jimeno, Lose

Witness _____

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.

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In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name	Signature
_____	<u>Cvitkovic, Esteban</u>	_____

Witness _____

Date	Name	Signature
_____	<u>Demetri, George Daniel</u>	_____

Witness _____

Date	Name	Signature
<u>24-3-03</u>	<u>Guzman, Cecilia</u>	

Witness B. J.

Date	Name	Signature
_____	<u>Jimeno, Lose</u>	_____

Witness _____

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from this application or any continuing or divisional application(s) thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest assigned, and that he/she has (they have) not executed, and will not execute, any agreement in conflict herewith.

6). The undersigned hereby grant(s) the law firm of: Morgan & Finnegan, L.L.P. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	Name	Signature
_____	<u>Cvitkovic, Esteban</u>	_____

Witness _____

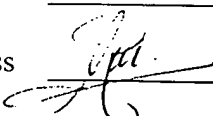
Date	Name	Signature
_____	<u>Demetri, George Daniel</u>	_____

Witness _____

Date	Name	Signature
_____	<u>Guzman, Cecilia</u>	_____

Witness _____

Date	Name	Signature
<u>13/3/03</u>	<u>Jimeno, Lose</u>	<u></u>

Witness 

OJA Assignment

Date Name

Signature

29-JAN-2002

Lopez Lazaro, Luis

[Signature]

Witness

[Signature]

Date Name

Signature

Misset, Jean Louis

Witness

Date Name

Signature

Twelves, Chris

Witness

Date Name

Signature

Von Hoff, Daniel D

Witness

OJA Assignment

Date Name

29-JAN-2002 Lopez Lazaro, Luis

Signature

Witness

Date Name

~~2002~~ July 24 2002 Misset, Jean Louis

Signature

Witness

Date Name

Twelves, Chris

Signature

Witness

Date Name

Von Hoff, Daniel D

Signature

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OJA Assignment

Date

Name

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29-JAN-2002Lopez Lazaro, Luis

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Date

Name

Misset, Jean Louis

Witness

Date

Name

Signature

→ John May
2002Twelves, Chris

Witness

Date


Name

Signature

Von Hoff, Daniel D

Witness

019
OJA Assignment

Date	Name	Signature
29-JAN-2002	Lopez Lazaro, Luis	

Witness HPG Smith

Date	Name	Signature
	Misset, Jean Louis	

Witness _____

Date	Name	Signature
	Twelves, Chris	

Witness _____

Date X 9/5/12 Name Von Hoff, Daniel D Signature X [Signature]

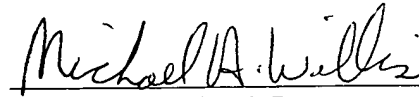
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The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4126-4007. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 5, 2003

By:



Michael A. Willis, Ph.D.

Registration No. 53,913

Correspondence Address:

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